

## UNITED STATES DISTRICT COURT

## NORTHERN DISTRICT OF CALIFORNIA

**E-FILED**  
 FEB - 6 2008  
 RICHARD W. WIEKING  
 CLERK U.S. DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND

WILLIAM J. WHITSITT

 Plaintiff(s),  
 (Petitioner)

V.

PERRY TOOL &amp; RESEARCH

 Defendant(s),  
 (Respondent)

Case No. CV 08-00771 WDB

 ORDER RE APPLICATION  
 TO PROCEED  
 IN FORMA PAUPERIS

(☒) IT IS ORDERED that the application to proceed in forma pauperis is GRANTED and that the Clerk issue summons.

IT IS FURTHER ORDERED that the U.S. Marshal for the Northern District of California serve, without prepayment of fees, a copy of the complaint, any amendments, scheduling orders, attachments, plaintiff's affidavit and this order upon the defendant.

( ) IT IS ORDERED that the application to proceed in forma pauperis is DENIED, and that the filing fee of \$350.00 be paid no later than . Failure to pay the filing fee by that date will result in dismissal of the above-entitled action without prejudice. The plaintiff is hereby apprised of his/her responsibility to serve the complaint and any amendments, scheduling orders, attachments, pursuant to Rule 4, Federal Rules of Civil Procedure. Plaintiff has a continuing obligation to keep the Court informed of his or her current address. Failure to do so may result in dismissal of this action.

( ) IT IS ORDERED that the application to proceed in forma pauperis is DENIED and that plaintiff is further ordered to make partial payment of the filing fee in the amount of \$ by . Failure to pay this amount will result in dismissal of the above-entitled action without prejudice. The plaintiff is hereby apprised of his/her responsibility to serve the complaint and any amendments, scheduling orders, attachments, pursuant to Rule 4, Federal Rules of Civil Procedure. Plaintiff has a continuing obligation to keep the Court informed of his or her current address. Failure to do so may result in dismissal of this action.

Dated: 2/5/08

*Wayne D. Brazil*  
 UNITED STATES MAGISTRATE JUDGE

(Not to be used in HABEAS CORPUS cases)